

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**ANGEL BUSTOS-AGUIRRE and
QUAWNTAY ADAMS,**

Defendants.

No. 04-CR-30029-DRH

ORDER

HERNDON, District Judge:

This Order is to memorialize the action taken by the Court on October 19, 2005 and also January 17, 2006 (Docs. 181 and 192, respectively), which granted defendant Quawntay Adam's Motions to Continue Trial Setting (Docs. 180 and 191, respectively).

Defendant Quawntay Adams filed a Motion to Continue Trial Setting on October 18, 2005 (Doc. 180), advising the Court of the probability that additional witnesses may cooperate with the government, and therefore, counsel for Adams would require additional time to assess the impact of such witnesses in order to prepare an adequate defense. (*Id.* at ¶¶ 2-3.) Defendant Adams' motion was unopposed by the remaining parties. Therefore, finding that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweighed the best interests of the public and Defendants in a speedy trial, the Court granted the continuance, rescheduling the trial for January 30, 2006. (Doc. 181.)

Therefore, for purposes of the order issued October 19, 2005, granting Adams' Motion to Continue (Doc. 180), the Court notes that the time from the date the original motion was filed, October 18, 2005, until the date to which the trial was then rescheduled, January 30, 2006, is excludable time for the purposes of speedy trial.

Defendant Quawntay Adams also filed a subsequent Motion to Continue Trial Setting on January 16, 2006. (Doc. 191), advising the Court that the Government had informed counsel for Adams that it intended to call a key witness, counsel was unaware such witness would testify and needed further time to prepare a defense. (*Id.* at ¶ 2.) As there was no objection by the remaining parties, and in finding that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweighed the best interests of the public and Defendants in a speedy trial, the Court granted the motion, rescheduling the trial for March 27, 2006.

Therefore, for purposes of the order issued January 17, 2006, granting Adams' Motion to Continue (Doc. 191), the Court also notes that the time from the date the original motion was filed, January 16, 2006, until the date to which the trial was then rescheduled, March 27, 2006, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 8th day of February, 2006.

/s/ _____ David RHerndon
United States District Judge